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Applicant:	Kitrick Sheets	Page 6
Serial No.:	10/643,588	Group Art Unit: 2186
Filed:	August 18, 2003	Docket No.: 1376.720US1
Title:	SHARING MEMORY WITHIN AN APPLICATION USING SCALABALE HARDWARE RESOURCES	

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### REMARKS

This responds to the Office Action mailed on March 20, 2006.

Claims 1, 4, 6, 9, 11 and 14 are amended, no claims are canceled, and claims 16-18 are added; as a result, claims 1, 4-6, 9-11 and 14-18 are now pending in this application.

#### §103 Rejection of the Claims

Claims 1, 4-6, 9-11 and 14-15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Scott (US 2004/0044872), and in view of Schimmel (US 6,105,113). In order for the Examiner to establish a *prima facie* case of obviousness, three base criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *M.P.E.P.* § 2142 (citing *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed.Cir. 1991)). Applicant respectfully submits that the claims are not obvious in view of the combination of Scott and Schimmel because the claims contain elements not found in the combination.

For example, claim 1 as amended recites accessing an ERTT header to obtain a mapping of the virtual node to a physical node. Independent claims 6 and 11, as amended, also recite an ERTT header that provides virtual to physical node mappings. The Office Action, in rejecting claim 4, states that Scott, in the Abstract at in FIG. 5, teaches mapping a virtual node to a physical node using an ERTT header. Applicant respectfully disagrees with this interpretation of Scott. While Scott does disclose mapping a virtual node to a physical node, Scott does not disclose using an ERTT header having mapping information for virtual to physical node mappings. Rather, Scott teaches that a virtual node to physical node mapping is obtained by

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adding a value obtained from a portion of the bits of a virtual address (VA47...38) to a base node value (see FIG. 5 and paragraph 33). Thus rather than providing a flexible virtual to physical node mapping in an ERTT header, Scott discloses a mechanistic addition of a portion of an address to a base node to obtain the mapping. As noted in the specification at page 8, lines 11-14 “providing a virtual node that is physically contiguous while mapping to a set of physical nodes that need not be physically contiguous provides for more flexibility in allocating nodes to an application...” Applicant has reviewed Scott and Schimmel and can find no teaching or suggestion of using an ERTT header to map virtual nodes to physical nodes. In view of the above, Applicant submits that the combination of Scott and Schimmel fails to teach or suggest each and every limitation of Applicant’s claims 1, 6 and 11. Applicant respectfully requests reconsideration and the withdrawal of the rejection of claims 1, 6 and 11.

Claims 4-5, 9-10 and 14-15 depend, directly or indirectly, on claims 1, 6 and 11, respectively. These dependent claims are patentable over Scott and Schimmel for the reasons argued above, and are also patentable in view of the additional elements which they provide to the patentable combination. If an independent claim is nonobvious under 35 U.S.C. § 103, then any claim depending therefrom is also nonobvious. MPEP § 2143.03. Applicant respectfully requests reconsideration and the withdrawal of the rejection of claims 4-5, 9-10 and 14-15.

*New Claims 16-18*

Claims 16-18 have been added in this response. Support for claims 16-18 may be found throughout the specification, and in particular on page 8, lines 15-25. As a result, Applicant believes that no new matter has been introduced with the addition of the new claims. Claims 16, 17 and 18 depend from claims 1, 6 and 11 respectively, and each recite the replication of an ERTT header across a plurality of nodes. As discussed above, neither Scott nor Schimmel teach an ERTT header. In addition, none of the cited referenced teach or suggest replicating an ERTT header. As a result, new claims 16-18 are believed to be allowable.

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### CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 373-6954 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date September 20, 2006

By Rodney L. Lacy

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 20th day of September 2006.

RODNEY L. LACY

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Signature

